

Serial No. 48299

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. AUG 15 1984

Returned to applicant for correction.

Corrected application filed. Map filed AUG 15 1984 under 48040

The applicant. TOPAZ LODGE ENTERPRISES

777 W. Second Street, Suite 220 of Reno
Street and No. or P.O. Box No. City or Town

Nevada, 89505
State and Zip Code No. hereby make application for permission to change the
PLACE OF USE

Point of diversion, manner of use, and/or place of use
of water heretofore appropriated under. PERMIT 33664 CERT. 10943
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
identify right in Decree.)

1. The source of water is. UNDERGROUND
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed. 0.04325
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for. COMMERCIAL
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for. COMMERCIAL
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point. SW1/4 SW1/4 SECTION 29, T10N, R22E, M.D.B.&M.
Describe as being within a 40-acre subdivision of public survey and by course and
or at a point from which the SW corner of said SECTION 29 bears S 43°37'W a
distance to a section corner. If on unsurveyed land, it should be stated.
distance of 1452.0'

6. The existing permitted point of diversion is located within.
If point of diversion is not changed, do not answer.

7. Proposed place of use. Portions of the NW1/4 SECTION 32, T.10N., R.22E., M.D.B.&M.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
and portions of the SW1/4 SECTION 29, T.10N., R.22E., M.D.B.&M.

8. Existing place of use. Portions of SW1/4 SW1/4, SE1/4 SW1/4 SECTION 20, T.10N., R.22E.,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
M.D.B.&M.
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from. JANUARY 1 to DECEMBER 31 of each year.
Month and Day Month and Day

10. Use was permitted from. JANUARY 1 to DECEMBER 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) WELL, PUMP AND MOTOR TO A DISTRIBUTION SYSTEM
State manner in which water is to be diverted, i.e. diversion structure, ditches,
pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$5,000.00

13. Estimated time required to construct works. 2 yrs.

14. Estimated time required to complete the application of water to beneficial use.....
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

(see attached Exhibit A)

By s/George M. Thiel
P.O. BOX 1989
Minden, Nevada 89423

Compared bl/bc ll/bc

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of an underground source as heretofore granted under Permit 33664, Certificate 10943 is issued subject to the terms and conditions imposed in said Permit 33664, Certificate 10943 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 48040, 48041, 48299 and 48300 shall not exceed 12.77 million gallons annually.

Place of use is limited to portions of land within the NW¼ SW¼, SW¼ SW¼, SE¼ SW¼, Section 29, T.10N., R.22E., M.D.B.&M.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.04325 cubic feet per second, but not to exceed 1.676 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before March 5, 1986

Proof of completion of work shall be filed before April 5, 1986

Application of water to beneficial use shall be made on or before March 5, 1988

Proof of the application of water to beneficial use shall be filed on or before April 5, 1988

Map in support of proof of beneficial use shall be filed on or before April 5, 1988

Completion of work filed MAY 05 1986 IN TESTIMONY WHEREOF, I PETER G. MORROS
State Engineer of Nevada, have hereunto set my hand and the seal of
Proof of beneficial use filed APR 15 1998
my office, this 5TH day of MARCH

Cultural map filed

Certificate No. 14945 Issued JUN 19 1998 A.D. 19 85

Peter G. Morros
State Engineer

EXHIBIT A

PROJECTED WATER DEMAND - TOPAZ LODGE

| | |
|--|------------------------------|
| . 50 gpd/unit (RV Park) x 150 units= | 7500 gpd |
| | <u>2.738 mga</u> |
| . 100 gpd/unit (Motel) x 100 units = | 10,000 gpd |
| | <u>3.65 mga</u> |
| . Store 200 gpd x 365 = 73,000 gpa = | <u>0.073 mga</u> |
| . Gas Station 1500 gpd x 365 = | <u>0.548 mga</u> |
| . Casino expansion (check existing consumptive totals) | 10,000 gpd |
| | <u>2.15 mga</u> |
| . Restaurant 1,000 gpd x 365 = | <u>0.365 mga</u> |
| . Landscaping | = 2,000 gpd |
| | <u>0.730 mga</u> |
| TOTAL | <u><u>10.181 mga</u></u> |
| + existing (33664) | 2.52 (Combined) |
| + existing (33663) | |
| TOTAL COMBINED = | <u><u>12.701 MGA</u></u> |